

REMARKS

Applicant respectfully traverses and requests reconsideration.

Applicant wishes to thank the Examiner for the withdrawal of the 35 U.S.C. §112, 2nd paragraph rejections.

Claims 1-8, 10-13, 15-18 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rudder et al. in view of Finke-Anlauff (hereinafter “Finke”) and Miyazawa et al. Applicant has amended claims 1, 11 and 15 to include language that is believed to be inherent in the claims as originally filed. As claimed for example in claim 1, the claim includes selecting a multimodal input and output modality for the multimodal communication apparatus based on a comparison of comparing an ambient condition level to ambient condition threshold data, among other limitations. In the Advisory Action, the Examiner’s response indicates that the Examiner is interpreting Miyazawa’s output volume level to be analogous to “selecting a multimodal input and output setting”. However, the volume setting in Miyazawa does not set a different output modality, such as voice vs. visual, but Miyazawa teaches using a same output modality, namely only an audible output mode. Miyazawa does not teach selecting a multimodal input and output modality for a multimodal communication device. There is no teaching of any input or output modality selection. This is because the same output modality, namely audible output is always the same in Miyazawa. As such, Miyazawa only teaches a voice mode but that the volume setting is adjusted. Accordingly, there is no multimodal selection between multimodal input and output modalities being taught or suggested in Miyazawa. Applicant respectfully submits that the claims are in condition for allowance.

Also in the Advisory Action, the Examiner’s response to the Finke reference appears to overlook specific claim language. The claim requires multimodal preference information associated with at least one input modality and at least one output modality. As such, both input

modality and output modality preference information is required. The Advisory Action apparently only alleges that Finke teaches differing output modalities. Finke does not include the use of a profile that includes an identifier associated with a multimodal preference information wherein the preference information is associated with both an input modality and at least one output modality. In fact, it does not appear that the device in Finke is capable of operating in different input and output modalities based on the claimed profile. Accordingly, Applicant also respectfully submits that the claims are in condition for allowance for this reason as well, among others.

New claim 21 requires that the selecting of the multimodal input and output modality for the multimodal communication apparatus in response to the comparison, includes selecting an input modality to be provided by an input interface and an output modality to be provided by an output interface. (See for example, application, page 12 and other portions). Applicant respectfully submits that the subject matter of this claim also does not appear to be taught or suggested by the references.

Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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